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7 Attorneys for Plaintiff

8 **UNITED STATES DISTRICT COURT**

9 **CENTRAL DISTRICT OF CALIFORNIA**

10 THERESA BROOKE, a married woman
11 dealing with her sole and separate claim,

12 Plaintiff,

13 vs.

14 VENTURA BEACH VENTURES LLC, a
15 California limited liability company dba
16 Crowne Plaza Ventura Beach,

Defendant.

Case No: 2:22-cv-4093

**PLAINTIFF THERESA BROOKE'S
NOTICE OF APPEAL TO THE
NINTH CIRCUIT COURT OF
APPEALS**

17 Please take notice that Plaintiff Theresa Brooke appeals to the Ninth Circuit
18 Court of Appeals. This appeal is made pursuant to 28 U.S.C. 1291 and *Cohen v.*
19 *Beneficial Indus. Loan Corp.*, 337 U.S. 541 (1949). The orders appealed, which are
20 final, and the basis for said appeals are provided as follows:

- 21 ❖ Doc. 27 Order declining supplemental jurisdiction over Plaintiff's Unruh Act
22 claim. The basis for this appeal is that there are no compelling reasons to decline
23 supplemental jurisdiction pursuant to *Arroyo v. Rosas*;
 - 24 ❖ Doc. 31 Order granting Defendant's Motion to Dismiss. The basis for the appeal
25 is that (a) Plaintiff sufficiently alleged standing pursuant to *Whitaker v. Tesla*
26 and *CREEC*, and (b) Plaintiff's allegations sufficiently provided notice of the
27 ADA violation pursuant to *Twombly*;
- 28

❖ Doc. 34 Order dismissing Plaintiff's ADA claim without prejudice.

RESPECTFULLY SUBMITTED this 15th day of August, 2022.

/s/ P. Kristofer Strojnik

P. Kristofer Strojnik (242728)

Attorneys for Plaintiff